LAW OFFICE OF CYNTHIA V. ECUBE, ESO. FILE A Professional Corporation 2 207 Martyr Street, Suite 3 Hagåtña, Guam 96910 3 MAR 15 2007 mba Telephone: (671) 472-8889/922-8889 4 Telecopier: (671) 472-8890 MARY L.M. MORAN Email Address: ecubelaw@netpci.com 5 **CLERK OF COURT** Attorney for Defendant 6 NORMAN A. MANGLOÑA 7 IN THE DISTRICT COURT OF GUAM 8 TERRITORY OF GUAM 9 10 UNITED STATES OF AMERICA. CRIMINAL CASE NO. 06-00056. 11 Plaintiff. **DEFENDANT MANGLOÑA'S** 12 POSITION STATEMENT IN vs. 13 RESPONSE TO FINDINGS OF NORMAN A. MANGLOÑA. THE FINAL PSI REPORT 14 Defendant. 15 16 17 I. INTRODUCTION 18 COMES NOW, Defendant, NORMAN A. MANGLOÑA, by and through his Court 19 appointed counsel of record, CYNTHIA V. ECUBE, ESQ, with the LAW OFFICE OF CYNTHIA V. ECUBE, ESQ., P.C., and hereby submits its Position Statement in response to the Findings of the 20 final Pre-Sentence Investigation Report (hereinafter "PSI Report") filed in the above-entitled criminal 21 22 matter, herein. II. FACTUAL OBJECTIONS TO THE FINAL PSI REPORT: 23 In response to the Probation Office's Response and Addendum to the Final PSI Report dated 24 25 March 9, 2007, Defendant reaffirms his objections as to the statements as contained in Paragraph 13 26 of the PSI. Defendant maintains that the Probation Office should incorporate his statements he provided to the Probation office during his interview concerning his lack of knowledge of Mu Jin's 27 28 ORIGINAL

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Defendant's Statement of Objections Re: Draft PSI Report; Page 2. intentions to enter Guam by boat, and his admission of purchasing a cell phone and GPS handset for 1 Mu Jin at the request of Jin in order to ensure safety out in the open seas in the event of bad weather 2 and poor visibility conditions between Tinian and Saipan. Additionally, Defendant re-affirms his 3 objections as provided in Paragraph 15 concerning his lack of knowledge that there were other Chinese 4 individuals to be picked up. Defendant was told by Jin to pick him up when Mu Jin contacted 5 Defendant to pick him up. Further, Defendant maintains his statement that he informed SA 6 Hernandez that he heard no sirens nor noise. 7 III. LEGAL OBJECTIONS TO THE PSI REPORT: 8 Defendant, NORMAN A. MANGLONA (hereinafter "MANGLONA), agrees to the 9 Probation Office's reconsideration of the applicable guideline manual, which is the 2003 Federal 10 Sentencing Guidelines Manual. In applying the 2003 Federal Sentencing Manual, Defendant submits 11 that the total adjusted level should be a level seven (7), reflecting a range of 0 to 6 months. Defendant, 12 however, objects to the recommendation that a fine be imposed based upon the calculated income and 13 debt ratio as stated in Paragraph 54. Defendant argues that the net cash flow of \$454.64 is significantly 14 small in that it does not factor into any other potential and unforeseeable expenses. Based upon this, 15 Defendant submits that the Court should not assess or impose a fine. Defendant further adopts all the 16 other findings and conclusions as stated in the Final PSI Report filed herein. Counsel for Defendant 17 further intends to argue the minimum level under the advisory guidelines at the time of Defendant's 18 sentencing hearing. 19 Dated this 14th day of March, 2007. 20 OFFICE OF CYNITHIA V. ECUBE, ESQ. 21 Professional Corporation 22 23 By: CYNTHIA V. ECUBE, ESQ. 24 Attorney for Ipefendant 25 26 27 28 29

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LAW OFFICE OF CYNTHIA V. ECUBE, ESQ., P. C. U. S. A. v. Norman Mangloña; Criminal Case No. 06-00056;

LAW OFFICE OF CYNTHIA V. ECUBE, ESQ., P. C. U. S. A. v. Norman Mangloña, Criminal Case No. 06-00056.; Defendant's Position Statement Re Findings of the final PSI Report. CERTIFICATE OF SERVICE 1 2 I, GENEVIEVE P. MESA, Legal Secretary with the Law Office of Cynthia V. Ecube, Esq., P.C., 3 hereby certify that on the 14th day of March, 2007, I caused to be served via facsimile a copy of 4 "Defendant Mangloña's Position Statement regarding the Findings of the Final Pre-Sentence 5 Investigation Report" in Criminal Case No. 06-00056, to: 6 7 KARON JOHNSON, Esq. Assistant U. S. Attorney 8 U. S. Attorney's Office Sirena Plaza, Suite 500 9 108 Hernan Cortez, Suite 500 Hagåtña, Guam 96910 10 and to, 11 CARLYN BORJA 12 United States Probation Officer United States Probation Office 13 2nd Floor, District Court 520 W. Soledad Ave. 14 Hagåtña, Guam 96910 15 16 17 VE P. MESA 18 19 20 21 22 23 24 25 26 27 28 29

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